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JUL 29 2019
Department of Water Resources
Eastern Region

*Attorneys for the Idaho Department of Fish and Game
and the Idaho Water Resource Board*

**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 74-16187 (Kurt W. &)
Janet E. Bird))
_____)

**STIPULATION AND JOINT
MOTION TO AMEND
SCHEDULING ORDER**

Introduction

The Hearing Officer issued a *Notice of Hearing and Scheduling Order* (“*Scheduling Order*”) on April 23, 2019. The Idaho Water Resources Board (“IWRB”) filed a *Motion to Amend Scheduling Order* on July 15, 2019. The IWRB’s motion sought to extend all dates in the *Scheduling Order* by approximately 5 weeks. A response in support of the IWRB’s motion was filed on July 16, 2019, by Beyeler Ranches LLC, High Bar Ditch Association, Carl Ellsworth, Kerry Purcell, Lemhi Irrigation District, and the Lemhi Soil and Water Conservation District. The schedule proposed by the IWRB’s motion was not acceptable to the Applicant, and the Applicant therefore intended Applicant intended to oppose the IWRB’s motion.

Stipulation

NOW, THEREFORE, in order to resolve their disagreement over the schedule proposed by the IWRB's motion, and in lieu of submitting with further briefing thereon, the parties to this proceeding hereby stipulate and agree that the *Scheduling Order* should be amended as follows:

	Current Schedule	Amended Schedule
Service of expert reports & staff reports/memoranda	July 17	August 14
Filing of dispositive motions	July 31	July 31
Identification of witnesses	August 14	August 14
Service of exhibits	August 14	August 14
Rebuttal expert reports	n/a	August 21
Hearing	August 28-29	August 28-29

Joint Motion

The parties to this proceeding, by and through their counsel of record and pursuant to Rules 210, 260, 413, 513, and 565 of the Rules of Procedure of the Idaho Department of Water Resources, hereby move the Hearing Officer for an order amending the *Scheduling Order* to conform to the stipulated schedule set forth above.

DATED this 29th day of July, 2019.

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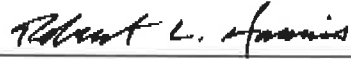
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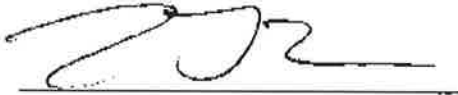
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 29th day of July 2019, I caused the original of the foregoing to be filed with the Idaho Department of Water Resources, and copies to be served upon the following, in the manner listed below:

1. Original to:

JAMES CEFALO IDAHO DEPARTMENT OF WATER RESOURCES 900 N. SKYLINE DR., STE A IDAHO FALLS, ID 83402-1718	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input checked="" type="checkbox"/> Facsimile: 208-525-7177 <input checked="" type="checkbox"/> Email: james.cefalo@idwr.idaho.gov

2. Copies to the following:

IDAHO DEPARTMENT OF WATER RESOURCES ATTN: JEAN HERSLEY, TECHNICAL RECORDS SPECIALIST II 322 E. FRONT STREET, SUITE 648 BOISE, ID 83720-0098	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile:
ROBERT L HARRIS HOLDEN, KIDWELL, HAHN & CRAPO PLLC 1000 RIVERWALK DR., STE 200 P.O. BOX 50130 IDAHO FALLS, ID 83405	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile: <input checked="" type="checkbox"/> Email: rharris@holdenlegal.com
MARIE CALLAWAY KELLNER MATTHEW A NYKIEL IDAHO CONSERVATION LEAGUE P.O. BOX 2308 SANDPOINT, ID 83864	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile: <input checked="" type="checkbox"/> Email: mkellner@idahoconservation.org mnykiel@idahoconservation.org
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